



Washington State Department of Agriculture News Release

For immediate release: June 21, 2002 (02-33)
Contact: Joel Kangiser (360) 902-2013
Linda Waring (360) 902-1815

WASHINGTON STATE DEPARTMENT OF AGRICULTURE
P.O. Box 42560, Olympia, Washington 98504-2560

Agriculture Department issues fines and suspensions for pesticide violations

OLYMPIA – During the first quarter of 2002, the state Department of Agriculture issued fines totaling \$14,950 against 13 individuals. Of those, 10 individuals also had their licenses suspended for a total of 1,201 days. Fines for the quarter ranged from \$100 to \$3,500 for violations that included failing to follow directions on the label, allowing a pesticide to drift onto a person or property, and issuing a faulty structural inspection report.

A penalty matrix is used to ensure penalties, such as fines or license suspensions, are uniform and fair. The matrix takes into account the seriousness of the infraction, whether it is a first or a repeat offense, and whether there are any aggravating or mitigating factors involved. Some of the larger penalties often reflect repeat offenses or multiple violations within the same incident.

The Department of Agriculture enforces state and federal pesticide laws to protect people, property, animals and the environment against the improper use of pesticides. Staff also provides technical assistance to the pesticide industry and consumers, and enforces the rules on structural inspections for wood destroying organisms, such as termites and carpenter ants. Approximately 200 allegations of improper distribution or misuse of pesticides, or faulty structural inspections are investigated every year.

To file a complaint involving the potential misuse of a pesticide, or to assure that an applicator is properly licensed, call (877) 301-4555.

Thomas E. Archer, a commercial applicator for Archer Aviation, Inc. in Waitsburg, was fined \$1,800 for failing to follow the directions on a pesticide label, and causing damage to a crop of winter wheat. In February 2001, when Archer made an aerial application of herbicide to 460 acres of land, the spray drifted onto the wheat field.

Steven H. Baughman, a private applicator in Bridgeport, was fined \$300 and his license was suspended for six days. In April 2001, when Baughman applied a pesticide mix to an orchard, the pesticide drifted onto a residential property. Baughman did not follow the directions on the label, applied pesticide in a faulty or negligent manner, and failed to maintain adequate records.

Joe C. Grentz Jr., a private applicator in Monitor, was fined \$500 and his license was suspended for 15 days. When Grentz Jr. applied pesticide to a pear orchard in March 2000, the spray drifted onto an individual who was working on a neighbor's property. Grentz Jr. did not follow the directions on the label and applied pesticide in a faulty or negligent manner.

MORE

Joe C. Grentz Sr., a private applicator in Monitor, was fined \$250 and his license was suspended for 10 days. In November 1999, when Grentz Sr. applied herbicide along his property line, a neighbor's trees were damaged and killed. Grentz Sr. did not follow the directions on the label and applied pesticide in a faulty or negligent manner.

Rick Heintz, a private commercial applicator in Prosser, was fined \$750 and his license was suspended for 10 days. In the spring of 2001, Heintz applied restricted-use herbicides to the property of H and H Used Car and Truck Sales. The herbicides drifted onto a neighbor's property, killing and damaging trees. Heintz was unlicensed at the time of the application, did not follow the directions on the label, and applied pesticide in a faulty or negligent manner.

James H. O'Brien, a commercial consultant with O'Brien Home Inspection Service in Gig Harbor, was fined \$1,500 and his license was suspended for 10 days. In April 2001, O'Brien did an inadequate inspection for wood destroying organisms on a house in University Place, and wrote a false and erroneous inspection report.

L. Boyd Scroggins, a private applicator in East Wenatchee, was fined \$3,300. He is no longer a licensed private applicator, and a 15-day suspension has been placed on any future license he obtains from the department. Scroggins applied restricted-use pesticide to his orchard in Chelan County three times during the spring and early summer of 2001. One application drifted into a schoolyard just before children began to arrive for school. Scroggins was unlicensed at the time of the application; did not follow the directions on the label; applied pesticide in a faulty or negligent manner; made false, misleading or erroneous statements in connection with an investigation; falsified invoices and did not maintain required records.

Stephen F. Simmons, a commercial operator for Farm and Forest Helicopter Service in Chehalis, was fined \$500 and his license was suspended for five days because he did not follow the directions on product labels. In the summer of 1999, Simmons allowed spray to drift onto water when he made aerial applications of herbicides in the Wahluke Slope Habitat Management area of Franklin County and the White Bluff area of Grant County. He also applied herbicide at wind speeds in excess of that allowed on the product label.

Jeremiah D. Smith, a commercial operator for TruGreen Chemlawn in Spokane, was fined \$100. He is no longer a licensed commercial operator, and a three-year suspension has been placed on any future license he obtains from the department. In August 1999, Smith allowed tree-and-shrub insecticide to become contaminated with herbicide.

Numerous ornamental plants in residential landscapes were killed or damaged. Smith did not follow the directions on the label, applied pesticide in a faulty or negligent manner, and failed to maintain required records.

Damon M. Thompson, a private applicator in Wapato, was fined \$3,500 for four counts of violating the directions on a pesticide label. He is no longer a licensed private applicator. In September 2000, Thompson used sprinkler irrigation to apply a soil fumigant over the top of mature apple trees. The fumigant drifted, contacting a person and causing damage to apple trees in a neighboring orchard. Thompson's irrigation equipment did not meet requirements, he failed to post warning signs, and he applied pesticide in a faulty or negligent manner.

Clifton A. Vannoy, a commercial operator in Rathdrum, ID, was fined \$1,100. He is no longer a licensed commercial operator. In April 2001, when Vannoy applied herbicide to a residential landscape in Spokane, he failed to follow the directions on the label. Numerous ornamental trees and shrubs were damaged or killed.

Sherman D. Young, a private applicator in Manson, was fined \$900 and his license was suspended for 21 days. In June 2001, when Young applied an insecticide to his apple orchard in Chelan County, the spray drifted onto two people as they rode their bikes on an adjacent road. Young did not follow the directions on the label, applied pesticide in a faulty or negligent manner and failed to maintain adequate records.

Francisco Zarate, a private applicator in Sunnyside, was fined \$450 and his license was suspended for 14 days. In April 2001, Zarate was responsible for supervising the application of insecticide to an apple orchard. The spray drifted onto a neighbor living across the road from the orchard. Zarate did not follow the directions on the label and applied pesticide in a faulty or negligent manner.

###